

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSEPH ELBERTI,

Plaintiff,

-against-

BP AMERICA, INC.,

Defendant.

X
Docket No.: 09-CV- 2865
(KAM)(JO)

STIPULATION

DOCKET & FILE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties hereto, that:

The time for Plaintiffs' to submit an Opposition to Defendant's Motion to Dismiss is extended from November 20, 2009 to December 4, 2009 and further, the time for Defendants to reply to Plaintiff's Opposition is extended from December 4, 2009 to December 18, 2009.

Dated: Carle Place, New York
November 12, 2009

Steven A. Morelli, P.C.

Lorraine M. Morelli
Attorneys for Plaintiff
One Old Country Road
Carle Place, New York 11514
(516)-393-9151 (Phone)
(516)-747-5024 (Facsimile)

Kelly Drye & Warren, LLP

Devin L. Lee
Attorneys for Defendant
101 Park Avenue
New York, NY 10178
(212)-808- 7825 (Phone)
(212)-808-7897 (Facsimile)

s/KAM

Sealed

**Kyle A. McNamee
U.S. District Judge**

11/13/09